

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

RALPH DAVID HATHAWAY,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

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No. 4:19-CV-2352-SNLJ

**MEMORANDUM AND ORDER**

This matter is before the Court upon review of plaintiff's pro se complaint. The complaint is defective because plaintiff has neither paid the filing fee nor filed an application to proceed in the district court without prepaying fees or costs. *See* 28 U.S.C. § 1915(a).

Accordingly,

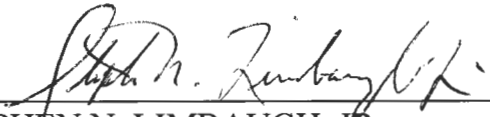
**IT IS HEREBY ORDERED** that the Clerk is directed to mail to plaintiff a copy of the application to proceed in district court without prepaying fees or costs.

**IT IS FURTHER ORDERED** that plaintiff must either pay the \$400 filing fee or submit the application to proceed in district court without prepaying fees or costs within twenty-one (21) days of the date of this Order.

**IT IS FURTHER ORDERED** that if plaintiff files an application to proceed in district court without prepaying fees or costs, he must also file a certified copy of his prison account statement for the six-month period preceding the filing of the complaint.

**IT IS FURTHER ORDERED** that if plaintiff fails to comply with this Order, the Court will dismiss this action without prejudice.

Dated this 26th day of September, 2019.

  
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STEPHEN N. LIMBAUGH, JR.  
UNITED STATES DISTRICT JUDGE